

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant(s) : Lawrence Steven SALANT et al.
Serial No. : 10/673,712
For : METHOD AND APPARATUS FOR BIT ERROR RATE ANALYSIS
Filed : September 29, 2003
Examiner : Merant, Guerrier
Art Unit : 2117
Confirmation No. : 2458

745 Fifth Avenue
New York, New York 10151
Tel. (212) 588-0800

CERTIFICATE OF ELECTRONIC FILING

I hereby certify that this correspondence is being transmitted
via Electronic Filing Services on March 26, 2008

Valerie Gray
(Name of person signing transmittal)


Signature

March 26, 2008
Date of Signature

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 C.F.R. 1.321(b) and STATEMENT UNDER
37CFR 3.73(b))**

Mail Stop **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-named attorney of record, authorized to act on the behalf of the assignee of record, hereby provisionally disclaims the terminal part of the entire patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of the patents that issue from United States applications 10/673,713 and 10/673,735 (collectively the Patents) in the event such Patents issue, and hereby agrees that any patent so granted shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to said Patents. This agreement is to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns. The undersigned further states that 100% of the title to the present application is in LeCroy Corporation, a United States corporation, by virtue of an assignment from the inventors. The assignment was recorded on February 26, 2004 at reel 015012, reel 0293.

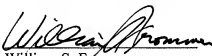
The evidentiary documents accompanying or referred to in this Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the assignee seeking to take action.

The below-named attorney of record does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of said Patents, in the event that: said Patents later expire for failure to pay a maintenance fee; are held unenforceable; are found invalid; are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or are otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

Please charge any insufficient fees or credit any overpayment associated with this
Terminal Disclaimer to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By: 
William S. Frommer
Reg. No. 25,506
(212) 588-0800